


DATE SUBMITTED 01/31/2024  
 SUBMITTED BY Public Services  
 DATE ACTION REQUIRED 02/07/2024

COUNCIL ACTION ( )  
 PUBLIC HEARING REQUIRED ( )  
 RESOLUTION ( )  
 ORDINANCE 1<sup>ST</sup> READING ( )  
 ORDINANCE 2<sup>ND</sup> READING ( )  
 CITY CLERK'S INITIALS ( )

**IMPERIAL CITY COUNCIL  
 AGENDA ITEM**

SUBJECT: Declare Emergency of Force Main	<b>DISCUSSION/ACTION:</b>  1. DISCUSS, APPROVE/DISAPPROVE: DECLARATION OF EMERGENCY OF FORCE MAIN IN AREA OF ATEN RD & LEGAKES AVE
DEPARTMENT INVOLVED: Public Services – Wastewater Collections	
BACKGROUND/SUMMARY:  On Tuesday, January 30 <sup>th</sup> , 2024 at approximately 8 PM, it was discovered that there was a force main clean out failure. If this went unaddressed, it could have caused a backup and overflow of wastewater causing health and safety issues to the community.  An emergency was declared by the City Manager that same night. City Staff, Rove Engineering and Ancon responded for emergency action.	
FISCAL IMPACT: unknown	FINANCE INITIALS <u>VMS</u>
STAFF RECOMMENDATION: Declare Emergency	DEPT. INITIALS 
MANAGER'S RECOMMENDATION: <i>approve staff recommendation                  adopt resolution</i>	CITY MANAGER'S INITIALS <u>DTM</u>
MOTION:   SECONDED: APPROVED ( ) REJECTED ( ) AYES: DISAPPROVED ( ) DEFERRED ( ) NAYES: ABSENT: REFERRED TO:	

**RESOLUTION NO. 2024-04**

**A RESOLUTION DECLARING AN EMERGENCY,  
AUTHORIZING THE CITY MANAGER TO TAKE SUCH  
ACTION AS MAY BE NECESSARY IN RESPONSE  
THERE TO AND RATIFYING ACTION TAKEN TO DATE**

**WHEREAS**, the City operates and maintains a wastewater treatment plant (“WWTP”) and associated collection system; and

**WHEREAS**, wastewater generated in the City is delivered to the WWTP by way of an underground collection system (“Collection System”); and

**WHEREAS**, the Collection System includes force mains, including one located in the vicinity of Aten Road & Legakes Avenue (“Force Main”); and

**WHEREAS**, the Force Main’s clean out failed. If not repaired and corrected, this could cause failure in the Collection System at the aforesaid location that would impact the proper conveyance of wastewater for a substantial segment of the community resulting in potential backups and other associated issues; and

**WHEREAS**, such backup would potentially expose persons and property to injury and damage; and

**WHEREAS**, the above described conditions constitute an emergency under applicable law and such emergency would not reasonably permit delays associated with a competitive solicitation for bids and the actions authorized herein are necessary to respond to the emergency; and

**WHEREAS**, in order to safeguard the public health and safety and to protect property, it is necessary to take immediate action to repair the Collection System and Force Main; and

**WHEREAS**, the City Council wishes to delegate authority to the City Manager to take such action as may be necessary to repair the Force Main and Collection System, ratify action already taken and otherwise address the emergency as described herein.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IMPERIAL DOES RESOLVE, DETERMINE, AND ORDERS AS FOLLOWS:**

**SECTION 1.** The preceding recitals are true and correct.

**SECTION 2.** The City Council declares that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health or property, and hereby delegates to the City Manager the authority to take such immediate action as may be necessary to safeguard life, health or property in connection with repair to the Force Main and Collection System in accordance with Public Contracts Code Sections 20168 and 22050 and without otherwise complying with bid requirements required by law.

**SECTION 3.** The City Council authorizes action set forth herein and further ratifies action authorized by the City Manager taken to date to address the failure of the Collection System and Force Main on the basis that the emergency described herein will not permit a delay resulting from a competitive solicitation of bids and the action is necessary to respond to the emergency.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Imperial on the 7<sup>th</sup> day of February, 2024.

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ROBERT AMPARANO,  
Mayor

ATTEST:

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KRISTINA SHIELDS,  
City Clerk

## **CERTIFICATION**

I, Kristina Shields, City Clerk of the City of Imperial, California, hereby certify that the foregoing resolution was duly adopted at a meeting of the City Council of said City at its meeting held on the 7<sup>th</sup> of February, 2024, by the following vote, to wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal of the City of Imperial, California, this 7th day of February, 2024.

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KRISTINA SHIELDS,  
City Clerk

